

27 May 2026

**Official information request regarding Crown expenditure, resourcing, and workload associated with litigation and Waitangi Tribunal inquiries concerning Māori-related policy and Treaty of Waitangi issues**

**Our Ref: OIA-2526186**

I refer to your official information request dated 29 April 2026:

*Please provide information covering the period from 27 November 2023 (formation of the current coalition government) to the date of this request.*

1. *Please provide a breakdown of total Crown expenditure on legal advice and representation, number of staff involved and total staff hours spent in relation to:*

- *The repeal of section 7AA of the Oranga Tamariki Act, including proceedings concerning the Waitangi Tribunal's summons of Ministers*
- *Proposed amendments to the Marine and Coastal Area (Takutai Moana) Act 2011*
- *The disestablishment of the Māori Health Authority*
- *Proposed referendum on Māori wards and constituencies*
- *Policy changes relating to the use of te reo Māori in the public sector*
- *Treaty Principles Bill*
- *Regulatory Standards Bill*
- *Citizenship urgent inquiry*
- *Treaty obligations removed from school boards*
- *Review of treaty references in legislation*
- *Te Rūnanga o Ngāi Tahu litigation over proposed Conservation Act changes*
- *National Iwi Chairs litigation over proposed resource management reform*
- *Waikato Tainui litigation over the use of te reo Māori in the public sector*
- *Any other High Court, Court of Appeal, or Supreme Court proceedings since 27 November 2023 concerning Māori policy, Māori rights, or Treaty of Waitangi issues*

2. Please provide the number of urgent inquiries initiated by the Waitangi Tribunal between 27 November 2023 and the date of this request
3. Please provide a list of those urgent inquiries
4. Please provide comparable figures for urgent Waitangi Tribunal inquiries for the government term from 2008-2017 and 2017-2023

### **Breakdown of total Crown expenditure on legal advice and representation**

The information you have requested in item 1 is in **Appendix 1**. The costs have been provided to you as at 30 April 2026.<sup>1</sup>

#### ***Number of staff working on each matter***

While the number and seniority of counsel involved in a particular matter will vary depending on the nature of the matter and its complexity, in general about two to four lawyers will primarily work on each matter. However we note that the table in Appendix 1 draws information on the number of staff involved (including non-legal staff involved in administration and litigation support) directly from our billing management system, which records all staff who have recorded time on a file, over the life of that file, even when their involvement is limited.<sup>2</sup> Accordingly, the figures in the “staff number” column do not necessarily reflect the number of lawyers who were assigned to and actively worked on the matter, nor how many lawyers worked on the file at any one time.

For example, for the urgent inquiry relating to the Māori Health Authority, 18 staff recorded time on the matter, but four lawyers completed over 88% of the work (and nine of the remaining staff worked only 5 hours or less). For the Treaty Principles Bill urgent inquiry, 27 staff recorded time on the matter, but five lawyers completed 79.5% of the work (and 13 of the remaining staff worked only 10 hours or less).

#### ***Collation of information***

Your final request under item 1 above seeks information on litigation concerning Māori policy, rights, or Treaty of Waitangi issues in the senior courts. In addition, item 4 seeks comparable figures for urgent Waitangi Tribunal inquiries for earlier Government terms. Complying with these aspects of your request would require substantial collation of information. It is not practicable to search and collate all the advice covered by the broad scope of those aspects of your request. We have considered whether charging a fee or extending the time limit for our response to your request, would enable it to be granted.<sup>3</sup> We have concluded that it would not. Accordingly, we refuse those parts of your request under section 18(f) of the Official Information Act 1982.

If you are able to provide the names of specific matters in the senior courts on litigation concerning Māori policy, rights or Treaty of Waitangi issues or specific urgent Waitangi Tribunal inquiries, we can consider whether similar information relating to those cases can be provided.

Your request under item 1 above also seeks information on legal advice in relation to matters that have been the subject of litigation and Waitangi Tribunal inquiries. We have understood this to mean legal advice in relation to the litigation on, or inquiries into, those matters (which is covered by the information provided). If, instead, it was intended to capture legal advice on these matters

<sup>1</sup> Your request was dated 29 April 2026 but we have used month-end figures.

<sup>2</sup> Some staff who are not lawyers (such as litigation and discovery support) record time on matters. We have included them in the list as significant work would be required to separate out their recorded time on each individual matter.

<sup>3</sup> In accordance with section 18A of the Official Information Act.

more generally, then compliance with this aspect of your request would, again, require substantial collation of information, which is not practicable. Again, we have considered whether charging a fee or extending time would enable this aspect of your request to be granted, but determined it would not. Accordingly, to the extent this part of your request was intended to capture legal advice related to the matters listed in item 1 more broadly, we refuse the request.

For completeness, we note that the Tribunal granted urgency in the Treaty Principles Reform (Wai 3565) Urgent Inquiry after the date of your request. Accordingly, information relating to that inquiry has not been included in the appendix.

### **Urgent inquiries**

In response to item 2 and 3 of your request, the Waitangi Tribunal initiated nine urgent inquiries in the period between 27 November 2023 to 29 April 2026.<sup>4</sup> A list of the urgent inquiries granted by the Tribunal during that period is **Appendix 2**.

### **Proactive release**

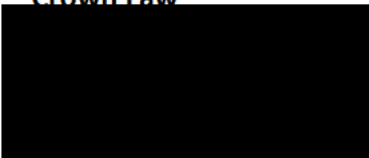
Please note that we may publish this response (with your personal details redacted), and any related documents, on Crown Law's website if we decide proactive release of this information is or may be in the public interest. If you have any concerns about this, please let us know within 10 working days of the date of this letter.

### **Your right to seek an investigation and review**

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact [OIA@crownlaw.govt.nz](mailto:OIA@crownlaw.govt.nz).

Nāku noa, nā  
Crown Law



David Green  
Legal Team Manager

Encl      Appendix 1 – Breakdown of total Crown expenditure on legal advice and representation  
            Appendix 2 – List of Tribunal urgencies from 27 November 2023 to 29 April 2026

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<sup>4</sup> We have not included the Climate Change Priority Inquiry (Wai 3325) because that has not been designated as an urgent inquiry.

## APPENDIX 1

### Breakdown of total Crown expenditure on legal advice and representation

<p>1 The repeal of section 7AA of the Oranga Tamariki Act, including proceedings concerning the Waitangi Tribunal's summons of Ministers:</p> <p>The information provided includes that relating to the Waitangi Tribunal's Oranga Tamariki (Section 7AA) Urgent Inquiry (Wai 3350) and to the High Court and Court of Appeal proceedings</p>			
<b>Cost of case (Tribunal)</b>	<b>Staff number (Tribunal)</b>	<b>Hours worked (Tribunal)</b>	<b>Length of time worked (Tribunal)</b>
\$123,562.85	11	392	20/12/2023 – 24/05/2024
<b>Cost of case (HC and CA)</b>	<b>Staff number (HC and CA)</b>	<b>Hours worked (HC and CA)</b>	<b>Length of time worked (HC and CA)</b>
\$229,713.54	18	603	09/04/2024 – 01/07/2024
<p>2 Proposed amendments to the Marine and Coastal Area (Takutai Moana) Act 2011</p> <p>The information provided includes that relating to the Waitangi Tribunal's Takutai Moana Act 2011 Urgent Inquiry (Wai 3400) into proposed amendments to the Act (Stage 1) and changes to the Crown's funding scheme (Stage 2), and to the High Court proceedings in <i>Te Rūnanga o Ngāti Whātua v AG</i> and in <i>Ngāti Manuhiri Settlement Trust v AG</i></p>			
<b>Cost of case (Tribunal)</b>	<b>Staff number (Tribunal)</b>	<b>Hours worked (Tribunal)</b>	<b>Length of time worked (Tribunal)</b>
\$710,919.89	19	1,909	12/06/2024 – 5/06/2025
<b>Cost of case (Ngāti Whātua)</b>	<b>Staff number (Ngāti Whātua)</b>	<b>Hours worked (Ngāti Whātua)</b>	<b>Length of time worked (Ngāti Whātua)</b>
\$23,578.15	7	67	01/08/2024 – 21/08/2024
<b>Cost of case (Ngāti Manuhiri)</b>	<b>Staff number (Ngāti Manuhiri)</b>	<b>Hours worked (Ngāti Manuhiri)</b>	<b>Length of time worked (Ngāti Manuhiri)</b>
\$27,087.45	9	110	17/02/2026 – 28/04/2026
<p>3 The disestablishment of the Māori Health Authority</p> <p>The information provided includes that relating to the Waitangi Tribunal's Te Aka Whai Ora (Māori Health Authority) Urgent Inquiry (Wai 3307) and to the High Court proceeding in <i>Te Puna Ora O Mataatua Charitable Trust &amp; Ors v Attorney-General</i></p>			
<b>Cost of case (Tribunal)</b>	<b>Staff number (Tribunal)</b>	<b>Hours worked (Tribunal)</b>	<b>Length of time worked (Tribunal)</b>
\$359,213.47	18	928	10/12/2023 – 30/09/2025
<b>Cost of case (High Court)</b>	<b>Staff number (High Court)</b>	<b>Hours worked (High Court)</b>	<b>Length of time worked (High Court)</b>
\$632,641.28	23	2,370	14/05/2024 – 24/04/2026
<p>4 Proposed referendum on Māori wards and constituencies</p>			
<b>Cost of case</b>	<b>Staff number</b>	<b>Hours worked</b>	<b>Length of time worked</b>
\$63,168.58	7	218	23/04/2024 – 29/05/2024

5 Policy changes relating to the use of te reo Māori in the public sector			
<b>Cost of case</b>	<b>Staff number</b>	<b>Hours worked</b>	<b>Length of time worked</b>
\$605,391.20	13	1,747	01/03/2024 – 02/04/2026
6 Treaty Principles Bill			
<b>Cost of case</b>	<b>Staff number</b>	<b>Hours worked</b>	<b>Length of time worked</b>
\$778,660.50	27	1,865	12/12/2023 – 23/10/2025
7 Regulatory Standards Bill			
<b>Cost of case</b>	<b>Staff number</b>	<b>Hours worked</b>	<b>Length of time worked</b>
\$119,337.34	8	355	03/02/2025 – 29/05/2025
8 Citizenship urgent inquiry			
<b>Cost of case</b>	<b>Staff number</b>	<b>Hours worked</b>	<b>Length of time worked</b>
\$134,985.74	11	375	28/07/2025 – 07/11/2025
9 Treaty obligations removed from school boards			
<b>Cost of case</b>	<b>Staff number</b>	<b>Hours worked</b>	<b>Length of time worked</b>
\$238,220.50	13	784	10/11/2025 – 30/04/2026
10 Review of treaty references in legislation			
<p>Note, a separate urgent inquiry had not been granted in relation to this matter as at the date of your request (noting, as above, information relating to the since granted Wai 3565 urgent inquiry has not been included). However, Treaty references were also part of the inquiry referred to in item 6 above (and also part of the recent Education and Training Act urgent inquiry, referred to in item 9).</p>			
11 Te Rūnanga o Ngāi Tahu litigation over proposed Conservation Act changes			
<b>Cost of case</b>	<b>Staff number</b>	<b>Hours worked</b>	<b>Length of time worked</b>
\$187,518.88	9	96	450.79
12 National Iwi Chairs litigation over proposed resource management reform			
<b>Cost of case</b>	<b>Staff number</b>	<b>Hours worked</b>	<b>Length of time worked</b>
\$160,394.33	8	98	480.95
13 Waikato Tainui litigation over the use of te reo Māori in the public sector			
<b>Cost of case</b>	<b>Staff number</b>	<b>Hours worked</b>	<b>Length of time worked</b>
\$31,010.57	4	91	106.55

**APPENDIX 2*****List of Tribunal urgencies from 27 November 2023 to 29 April 2026***

<b>No.</b>	<b>Waitangi Tribunal urgent inquiry</b>	<b>Date urgency granted</b>
1.	Te Aka Whai Ora (Māori Health Authority) Urgent Inquiry (Wai 3307) <sup>5</sup>	19 January 2024
2.	Te Reo in the Public Sector Urgent Inquiry (Wai 3327)	1 March 2024
3.	Oranga Tamariki (Section 7AA) Urgent Inquiry (Wai 3350)	26 March 2024
4.	Treaty Principles Bill and Review of Treaty References in Legislation Urgent Inquiry (Wai 3300) <sup>6</sup>	10 April 2024
5.	Māori Wards and Constituencies Urgent Inquiry (Wai 3365)	3 May 2024
6.	Takutai Moana Act 2011 Urgent Inquiry (Wai 3400) - Stage 1 (proposed amendments to the Act) - Stage 2 (changes to the Crown's funding scheme)	23 July 2024 14 October 2024
7.	Regulatory Standards Bill Urgent Inquiry (Wai 3470)	28 April 2025
8.	Citizenship (Ruddock) Urgent Inquiry (Wai 3513)	1 September 2025
9.	Education and Training Amendment Act and Te Mātaiaho Urgent Inquiry (Wai 3553)	2 March 2026

<sup>5</sup> The urgent inquiry was vacated after the Bill was passed. The claim became a priority inquiry which sat within broader Wai 2575 Health Services and Outcomes Kaupapa Inquiry, given alignment with existing inquiry priorities.

<sup>6</sup> Note, the urgent inquiry was conducted within the broader Wai 3300 Constitutional Kaupapa Inquiry.